



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/491,787	01/26/2000	Andrew T Wilson	INTL-0317-US (P8000)	9051
7590	11/03/2004		EXAMINER	
Blakely Sokoloff Taylor & Zafman, LLP 1279 Oakmead Parkway Sunnyvale, CA 94085-4040			BOCCIO, VINCENT F	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/491,787	WILSON ET AL.
	Examiner	Art Unit
	Vincent F. Boccio	2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on RCE & Amendment on 8/20/04.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-30 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-30 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

Art Unit: 2616

DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

Claim Rejections - 35 USC § 102/103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

-or-

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-2, 7-12, 17-25 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Butler (US 2002/0007493).

Regarding claims 1-2, 7-12, 17-25, the examiner incorporates by reference the detailed actions against the claims and will address the amended claims with respect to the added claim language with respect to arguments presented.

As amended independent the as amended claims 1, 1, 11, 21 and 29, all further recite,

"storing the video information in a random access memory for subsequent playback after a broadcast of the video information".

This feature of playback after recording, is met by Mankovitz, according to page 7, line 28 to page 8, line 25,

"storage device 52 which begins **storing the television signal including the PRI information embedded in the VBI**", according to page 8, is played back in a time shifted manner while recording the incoming TV signal, thereby the user will not miss the TV program while accessing the PRI and other accessed WEB content based on the PRI as disclosed (also see

Art Unit: 2616

related disclosures of the reference and the previous detailed actions).

Further as recited, "Wherein the storing is configured to allow playback to be paused without losing synchronization between the video and associated WEB content".

This feature is also considered to be met by Mankovitz, wherein after recording some or all the video and associated PRI (see above, pages 7-8), the playback is paused, when interaction with the PRI, thereby allowing the user to interact with the PRI associated WEB content, met in view of Figs. 2-3, the video is paused and the user accesses the WEB content by selecting the PRI..

According to pages 7-8, "storage device 52 simultaneously outputs the first stored frame of the video signal to the signal processing unit for extended display {or paused} on the television/TV 32. The TV 32 continues to display this frame until controlled by the viewer to continue without any effect on any viewer activity with the PRI shown in the remainder of the display screen. The viewer then interacts with the PRI as described above".

Therefore, the video image (paused) is presented in a window as shown in Figs. 3 or 4, without losing synchronization between the video and Web content (met by being shown in the same screen), until the user is done/returns to viewing the received and recorded video, in view of the disclosure,

the paused or freeze frame, upon interacting with the PRI, prevents the user from missing the video playback point, as disclosed and understood by the examiner.

In conclusion, since the PRI and video are stored to storage 52 being a disc, therefore randomly accessible type storage device (page 4),

upon playback of the video with PRI the same operation is determined to be accomplished,

when selecting the interactive content PRI, the video would be paused, even during playback, thereby the user would not lose the playback position,

allowing the user to access the PRI to additional WEB content,

wherein the video or a frame is presented as a freeze or pause mode at the point of selection of the

Art Unit: 2616

PRI, while the user interacts with the PRI and the associated WEB content, and according to Figs. 3-4, without loosing synchronization between met by showing the video freeze frame/paused mode, in a window, while simultaneously showing at least another window being the {PRI to additional received content as shown in Fig. 3 or even Fig. 4}, until the user resumes video viewing or reproduction.

Further the examiner incorporates by reference the detailed rejections against the claims.

The rejected sets of claims:

Grouped claim set claims 3, 13 and 26;
Grouped claim set claims 4-6, 14-16; and
Grouped claim set claims 27-30.

In addition claim 28 is amended the art applied reads on the claim as amended,

wherein as recited,

previously recited "the enhanced content information", as amended to (now recited as)

"the associated web content",

which is determined not to be distinguishable from the applied art and is met by the applied art and is analyzed and discussed with respect to the rejections provided of record.

Response to Arguments

2. Applicant's arguments filed on 8/20/04 against the amended independent claims, have been fully considered but they are not persuasive.

The arguments have been considered and are analyzed and discussed and answered, with respect to the newly addressed limitations against the art as previously used to rejection the claims (see detailed response to the amended claims and language above.

Art Unit: 2616

Contact Fax Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communication intended for entry)

or:

(703) 308-5359, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Thursday, 8:00 AM to 5:00 PM Vincent F. Boccio (703) 306-3022.

Any inquiry of a general nature or relating to the status of this application should be directed to Customer Service (703) 306-0377.

Primary Examiner, Boccio, Vincent
10/30/04

Vincent F. Boccio
VINCENT BOCCIO
PRIMARY EXAMINER